

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

FERNANDO GASTELUM,)	Case No.: 1:21-cv-01164-NONE-JLT
)	
Plaintiff,)	ORDER DENYING APPLICATION TO PROCEED
)	IN FORMA PAUPERIS WITHOUT PREJUDICE
v.)	AND REQUIRING PLAINTIFF TO FILE LONG
)	FORM APPLICATION OR PAY FILING FEE
NORTHWEST TARGET LLC, et al.,)	
)	
Defendants.)	(Doc. 2)
)	
)	[TWENTY-ONE DAY DEADLINE]
)	

Fernando Gastelum filed a complaint in this action on August 2, 2021. (Doc. 1.) Plaintiff did not pay the filing fee in this action and instead, applied to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (Doc. 2.) However, Plaintiff's application was not sufficiently completed for the Court to determine if he is entitled to proceed in this action without prepayment of fees.

In his application, Plaintiff indicates that he receives some gross pay or wages in addition to his disability benefits, however, the space for the employer's name and address was left blank. Additionally, Plaintiff's listed expenses are approximately twice his income level without any showing how he pays these costs.

Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is unwilling to

1 complete and submit the long form application, Plaintiff must pay the filing fee in full. Based upon the
2 foregoing, the Court **ORDERS**:

- 3 1. The Clerk of the Court is directed to forward to Plaintiff an Application to Proceed in
4 District Court Without Prepaying Fees or Costs (Long Form) – AO 239;
- 5 2. **Within 21 days**, Plaintiff shall either (1) pay the \$402.00 filing fee for this action, or
6 (2) complete and file the enclosed Application to Proceed in District Court Without
7 Prepaying Fees or Costs (Long Form) – AO 239; and
- 8 3. If Plaintiff fails to comply with this order, this action shall be dismissed for failure to
9 pay the filing fee and failure to comply with a court order.

10
11 IT IS SO ORDERED.

12 Dated: **August 4, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE